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EXTRAORDINARY

PART II—Section 3—Sub-section (i) PUBLISHED BY AUTHORITY

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MINISTRY OF FOOD AND AGRICULTURE

(Department of Food)

ORDERS

New Delhi, the 19th December 1959

G.S.R. 1400.—Whereas the Central Government is of opinion that it is necessary so to do for controlling the rise in prices and preventing the hoarding of rice and paddy in the State of Orissa;

Now, therefore, in exercise of the powers conferred by sub-section (3A) of section 3 of the Essential Commodities Act, 1955 (10 of 1955), the Central Government hereby directs that notwithstanding anything contained in sub-section (3) of the said section 3 the prices at which rice and paddy shall be sold in any locality in the State of Orissa in compliance with an order made with reference to clause (f) of sub-section (2) of the said section 3 shall be regulated in accordance with the provisions of the said sub-section (3A).

2. This notification shall remain in force for a period of three months.

[No. 201(ORS)(2)/383/59-PY. II.]

G.S.R. 1401.—In exercise of the powers conferred by section 3 of the Essential Commodities Act, 1955 (10 of 1955), the Central Government hereby makes the following Order, namely:—

1. **Short title, extent and commencement.**—(1) This Order may be called the Rice (Eastern Zone) Movement Control Order, 1959.

(2) It extends to the States of Orissa and West Bengal.

(3) It shall come into force at once.

2. **Definitions.**—In this Order, unless the context otherwise requires,—

(a) “Eastern Zone” means the territory comprising the States of Orissa and West Bengal;

(b) “export” means to take or cause to be taken out of any place within the Eastern Zone to any place outside the said Zone;

(c) “import” means to take or cause to be taken into any place within the Eastern Zone from any place outside the said Zone;

(d) “rice” includes broken rice, paddy and products of rice or paddy other than bran and husk;

(e) “State Government” means the Government of the State having jurisdiction;

(f) “transport” means to move or cause to be moved by any means whatsoever.

3. **Restrictions on export and import of rice.**—(1) No person shall export or attempt to export or abet the export of rice except under and in accordance with a permit issued by the State Government or any officer authorized in this behalf by that Government.

(2) No person shall import or attempt to import or abet the import of rice except under and in accordance with a permit issued by the State Government or any officer authorized in this behalf by that Government:

Provided that nothing contained in sub-clauses (1) and (2) shall apply to the export or import of rice—

- (i) not exceeding five seers in weight in the aggregate by a *bona fide* traveller as part of his luggage; or
- (ii) on Government account; or
- (iii) under and in accordance with Military Credit Notes:

Provided further that nothing contained in sub-clause (2) shall apply to the import of rice from any place within Nepal into any place within the Eastern Zone:

Provided further that it shall be lawful for a person to—

- (a) import seed paddy not exceeding ten maunds for *bona fide* agricultural purposes, or
- (b) import rice, being the produce of his land situated in a State outside the Eastern Zone, for *bona fide* consumption by himself and the members of his family in a place within the said Zone, or
- (c) export rice, being the produce of his land lying within the Eastern Zone, for *bona fide* consumption by himself and other members of his family in place outside the said Zone,

under and in accordance with a permit issued by the State Government in this behalf.

4. Restrictions on transport of rice to or within the borders area.—No person shall transport, attempt to transport or abet the transport of rice—

- (a) to any place in the border area from any place in the Eastern Zone outside that area; or
- (b) from any place in the border area to any other place in that area; except under and in accordance with a permit issued by the State Government or any officer authorized by that Government in this behalf:

Provided that nothing contained herein shall apply to the transport of rice—

- (i) on Government account, or
- (ii) under and in accordance with Military Credit Notes, or
- (iii) within the same town or village in the border area, or
- (iv) from a village in the border area to the nearest grain market (mandi) within the said border area, or
- (v) not exceeding forty seers in weight in the aggregate by a *bona fide* resident of the border area for domestic consumption, or
- (vi) not exceeding five seers in weight in the aggregate by a *bona fide* traveller as part of his luggage.

Explanation.—For the purpose of this clause, 'border area' means the area falling within a five-mile belt all along the border of the Eastern Zone.

5. Powers of entry, search, seizure, etc.—(1) Any Police Officer not below the rank of Assistant Sub-Inspector and any other person authorized in this behalf by the State Government or the Central Government may, with a view to securing compliance with this Order or to satisfying himself that this Order has been complied with,—

- (i) stop and search, or authorize any person to stop and search, any person, boat, motor or any vehicle or receptacle used or intended to be used for the export, import or transport of rice;
- (ii) enter and search or authorize any person to enter and search any place;
- (iii) seize or authorize the seizure of rice in respect of which he suspects that any provision of this Order has been, is being or is about to be contravened along with the packages, coverings, or receptacles in which such rice is found or the animals, vehicles, vessels, boats or conveyances used in carrying such rice and thereafter take or authorize

the taking of all measures necessary for securing the production of the packages, coverings, receptacles, animals, vehicles, vessels, boats or conveyances so seized, in a court and for their safe custody pending such production.

(2) The provisions of sections 102 and 103 of the Code of Criminal Procedure, 1898, relating to search and seizure shall, so far as may be, apply to searches and seizures under this clause.

6. **Repeal.**—The following Orders are hereby rescinded, namely:—

- (1) The Orissa Rice (Prohibition of Movement) Order, 1957; and
- (2) The West Bengal Rice (Movement Control) Order, 1958.

[No. 204(EZ)(1)/381/59-PY.II.]

G.S.R. 1402.—In exercise of the powers conferred by section 3 of the Essential Commodities Act, 1955 (10 of 1955), the Central Government hereby makes the following Order, namely:—

1. **Short title, extent and commencement.**—(1) This Order may be called the Calcutta Rice (Movement Control) Order, 1959.

- (2) It extends to the areas specified in the Schedule to this Order.
- (3) It shall come into force at once.

2. **Definitions.**—In this Order, unless the context otherwise requires,—

- (a) "Calcutta" means the areas specified in the Schedule to this Order;
- (b) "rice" includes beaten rice (chira), broken rice (Khud), but does not include paddy, rice husk, bran, muri or khoi;
- (c) "State Government" means the Government of the State of West Bengal;

3. **Restrictions on the movement of rice.**—No person shall move, attempt to move or abet the movement of rice by any means whatsoever from any place in Calcutta to any place outside it except under and in accordance with a permit issued by the State Government or by any officer authorized by the State Government in this behalf:

Provided that nothing contained herein shall apply to the movement of rice—

- (i) not exceeding five seers in weight in the aggregate by a *bona fide* traveller as part of his luggage; or
- (ii) on Government account; or
- (iii) under and in accordance with Military Credit Notes.

4. **Effect of the order.**—The provisions of this Order shall be in addition to and not in derogation of the provisions of the Rice (Eastern Zone) Movement Control Order, 1958.

5. **Powers of entry, search, seizure, etc.**—(1) Any Police Officer not below the rank of Assistant Sub-Inspector and any other person authorized in this behalf by the State Government may, with a view to securing compliance with this Order or to satisfying himself that this Order has been complied with,—

- (1) stop and search, or authorize any person to stop and search, any person, boat, motor or any vehicle or receptacle used or intended to be used for the movement of rice;
- (2) enter and search and authorize any person to enter and search any place;
- (3) seize or authorize the seizure of any rice in respect of which he suspects that any provision of this Order has been, is being or is about to be contravened, along with the packages, coverings or receptacles in which such rice is found or the animals, vehicles, vessels, boats or conveyances used in carrying such rice and thereafter take or

authorize the taking of all measures necessary for securing the production of the packages, coverings, receptacles, animals, vehicles, vessels, boats or conveyances so seized, in a court and for their safe custody pending such production:

(2) The provisions of sections 102 and 103 of the Code of Criminal Procedure, 1898, relating to search and seizure shall, so far as may be, apply to searches and seizures under this clause.

SCHEDULE

[See clause 2(a)]

(1) Calcutta as defined in clause (11) of section 5 of the Calcutta Municipal Act, 1951 (West Bengal Act XXXIII of 1951) together with the Esplanade and that part of the Hastings north of the South edge of Clyde Row and Strand Road to the river bank and the areas which were previously under the now defunct Tollygunge Municipality and are now included within the municipal limits of Calcutta;

(2) The area within the limits of the port of Calcutta as defined by notification under section 5 of the Indian Ports Act, 1908;

(3) The Municipality of Howrah in the district of Howrah;

(4) The Municipalities of Dum Dum, South Dum Dum and North Dum Dum and the South Suburban and Garden Reach municipalities, in the district of 24-Parganas.

[No. 204 (EZ) (1)382/59-PY. II.]

B. P. BAGCHI, Jt. Secy.